

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: *May 14, 2003*

PATENT
Attorney Docket No.: 020093-001000US *#8*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sai L. Su

Examiner: Vonda M. Wallace

Application No.: 10/009,508

Filed: November 6, 2001

**RESPONSE TO NOTIFICATION OF
DEFECTIVE RESPONSE**

For: METHODS FOR THE
DIAGNOSIS AND TREATMENT OF
METASTATIC PROSTATE TUMORS

Mail Stop Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the Notice of Defective Response dated May 1, 2003 enclosed are the following to be made of record in the above-identified application:

- 1) Copy of Notification of Defective Response;
- 2) Sequence Listing Diskette/Paper Copy;
- 3) Copy of Return Postcard for November 6, 2001 and;
- 4) Copy of Return Postcard for August 9, 2002.

The Notice of Defective Response requested the submission of a copy of the "Sequence Listing" in computer readable form stating that the computer readable form was not submitted with the response to the Notice of Missing Requirements mailed February 15, 2002, as required by 37 CFR § 1.821(e) and PCT rule 13 ter.1(a) (ii). Applicant notes that a computer readable form and a paper copy of the "Sequence Listing" were provided both with the request for filing the National Phase application dated November 6, 2001 and again in Response to the Notice of Missing Requirements dated August 9, 2002. Copies of the stamped and acknowledged postcards evidencing the filing and receipt of the computer readable form of the Sequence Listing are enclosed. However, to expedite processing of the application, Applicant

Sai L. Su et al.

Application No.: 10/009,508

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again provides herewith a third copy of the computer readable form and a paper copy of the submitted "Sequence Listing".

The substitute copy of the Sequence Listing and computer readable form submitted herewith add no new matter and the computer readable form submitted is the same as the paper copy of the Sequence Listing provided herein and the paper copies of the Sequence Listing previously provided.

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430.

Respectfully submitted,

Dated: 14 May 2003

By: Brian W. Poor
Brian W. Poor
Reg. No. 32,928

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 206-467-9600
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BWP:ar

5016502



DT20 Rec'd PC

9 MAY 2003

PTO/68/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/009,508
Filing Date	November 6, 2001
First Named Inventor	Sai L. Su et al.
Art Unit	Unassigned
Examiner Name	Vonda M. Wallace
Attorney Docket Number	020093-001000US

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard, copy of Notification of Defective, Response, copy of Return Postcard 11/06/01, copy of Return Postcard 8/9/02 and Paper Copy of Sequence Listing
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Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP Brian W. Poor Reg. No. 32,928
Signature	
Date	May 14, 2003

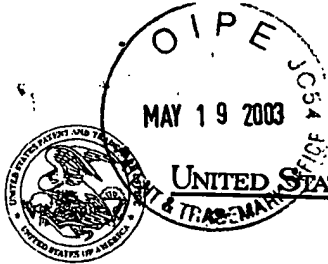
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Angelie Rivera		
Signature		Date	May 14, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



MAY 19 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

020093-001000US BWP

U.S. APPLICATION NUMBER NO. 10/009,508	FIRST NAMED APPLICANT Sai L. Su	ATTY. DOCKET NO. 020093-001000US
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Brian W Poor
 Townsend and Townsend and Crew
 Two Embarcadero Center
 8th Floor
 San Francisco, CA 94111

INTERNATIONAL APPLICATION NO. PCT/US99/08079	
I.A. FILING DATE 04/13/1999	PRIORITY DATE

CONFIRMATION NO. 5007
 371 FORMALITIES LETTER



OC000000009937482

Date Mailed: 05/01/2003

Response Due Sequence Reg. 6/1/03
 53P

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Indication of Small Entity Status
- Copy of the International Application filed on 11/06/2001
- Copy of the International Search Report filed on 11/06/2001
- Copy of IPE Report filed on 11/06/2001
- Oath or Declaration filed on 08/15/2002
- Biochemical Sequence Listing filed on 11/06/2001
- Small Entity Statement filed on 11/06/2001
- Request for Immediate Examination filed on 11/06/2001
- U.S. Basic National Fees filed on 11/06/2001
- Power of Attorney filed on 08/15/2002

Applicant's response filed 08/15/2002 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 02/15/2002 have not been completed.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e) and PCT Rule 13ter.1(a)(ii).
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/009,508	PCT/US99/08079	020093-001000US

FORM PCT/DO/EO/916 (371 Formalities Notice)



TO THE U.S. PATENT & TRADEMARK OFFICE

Please stamp the date of receipt of the following document(s)
and return this card to us:

RE: Sai L. Su

801 Rec'd PCT/PTO 06 NOV 2001

TITLE OF DOCUMENT(S):

Transmittal Form (+ 2 copies)

Petition to Revive

Computer Readable Form of the Sequence Listing

Copy of Published International Application

Certificate fo Express Mail

10/009508

Application No. PCT/US99/08079

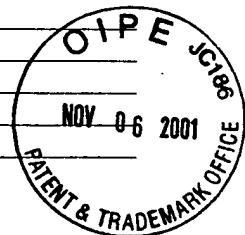
File No. 022093-001000US

Date Due 20093

Date Mailed November 6, 2001

Atty/Secty. BWP:ww

Express Mail No. EK329754045US



TO THE U.S. PATENT & TRADEMARK OFFICE

**Please stamp the date of receipt of the following document(s)
and return this card to us:**

RE: Sai L. Su

TITLE OF DOCUMENT(S):

Transmittal Form

Submission of Substitute Sequence Listing

Computer readable form of Sequence Listing and Diskette

Application No. 10/009,508
File No. 020093-001000US
Date Due August 15, 2002
Date Mailed August 9, 2002
Atty/Secty. BP/ww

